

**Remarks/Arguments:**

This is a reply to the office action of January 30.

**Claim Rejections – 35 USC 102**

The Examiner is alleging that claims 4 to 6 and 8 are anticipated by the disclosure of O'Callaghan *et al.* (US-6311892).

It is submitted that the subject-matter of the independent claims (6 and 8) is clearly distinguished over the disclosure of O'Callaghan *et al.*

Claim 6 defines a method which comprises the steps of scanning a band on a mail piece to detect for a sequence of transitions between areas of light and dark reflectance within the band, and generating an indication of a presence of an imprint of a postal indicium on detection of a transition succeeding a predetermined number of initial transitions at the start of the sequence of transitions.

Claim 8 defines the counterpart apparatus for imprinting postal indicia on mail pieces, and comprises a first sensor for detecting the sequence of transitions, and means operative to generate the indication of a presence of an imprint of a postal indicium on detecting a signal corresponding to a transition occurring after a predetermined number of transitions.

O'Callaghan *et al.* makes no disclosure or suggestion of the method or apparatus as claimed.

The Examiner has referenced a number of passages in O'Callaghan *et al.* which mention image processing means for the recognition of indicia and printing means

for the printing of mail piece identifiers, but, contrary to the claimed invention, the processing means does not scan the identifiers as printed by the printing means, but rather existing indicia, which are entirely separate and unrelated to the printed identifiers.

The system of O'Callaghan *et al.* includes a printer (104) for printing identification information on each mail piece, and a camera (105) for *inter alia* verifying barcodes. However, contrary to the claimed invention, the camera (105) is operative to scan a barcode prior to operation of the printer (104) [see, for example, column 4, lines 36 and 37].

The system O'Callaghan *et al.* also includes a barcode scanner (205), but the scanner (205) scans information on the trays which contain the mail pieces, and not the mail pieces in the manner as required by the claimed invention. The present invention is not concerned with trays and tray labels.

The Examiner has indicated, presumably in relation to the subject-matter of claim 6, that "...it is inherent that at some juncture the mailpieces were 'fed' to an apparatus in order to apply or print said indicium...". It is submitted that this is not the case. There is nothing in O'Callaghan *et al.* which suggests the feeding of mail pieces past a print head to print a postal indicium.

This notwithstanding, there is no disclosure or suggestion in O'Callaghan *et al.* of the generation of an indication of a presence of an imprint of a postal indicium on detecting a transition following a predetermined number of transitions, as required by the claimed invention.

In the system of O'Callaghan *et al.*, there is no disclosure or suggestion of the operation of the camera (105) to detect for a sequence of transitions between areas of

light and dark reflectance within a band, and the generation of an indication of a presence of an imprint of a postal indicium on detection of a transition succeeding a predetermined number of initial transitions at the start of the sequence of transitions, in the manner as required by the claimed invention. In the system of O'Callaghan *et al.*, each mail piece is scanned in its entirety to acquire an image of the mail piece and objects are extracted from the acquired image using image processing recognition software [see, for example, column 4, lines 52 to 57]. This mode of operation is entirely different to that of the claimed invention.

Accordingly, it is submitted that the subject-matter of the independent claims (claims 6 and 8) is patentably distinguished over the disclosure of O'Callaghan *et al.*

As regards the dependent claims (claims 4 and 5), it is submitted that these claims are dependent upon an allowable independent claim (claim 3), and, as such, are themselves allowable.

#### Claim Rejections – 35 USC 103

##### *Claim 7*

The Examiner is alleging that the subject-matter of claim 7 is unpatentable over O'Callaghan *et al.* in view of Michel *et al.* (US-4141492).

It is submitted that claim 7 depends from an allowable independent claim (claim 6), and, as such, is itself allowable. This notwithstanding, the subject-matter of claim 7 is independently patentably distinguished over the disclosures of O'Callaghan *et al.* and Michel *et al.* when taken in combination.

Claim 7 defines the step of stopping the feeding of further mail pieces past the print

head in the event that no postal indicium is detected on the mail piece.

As regards Michel *et al.*, it is firstly submitted that this document relates to an entirely unrelated field of art to that of the claimed invention, namely, the art of bookbinding, and the skilled person would have had no conceivable motivation to consider disclosures from this field of art.

The Examiner has indicated that the abstract of Michel *et al.* discloses the application of postage indicia in the verification of articles. This is not the case. Michel *et al.* makes no disclosure to the use of postage indicia, but rather the identification of the signatures (21) of a book from indicia (18) on the backbones of the signatures (15). This notwithstanding, Michel *et al.* fails to disclose or suggest the step of stopping the feeding of further items, namely, signatures, past a print head in the event that no indicium is detected on an item. Michel *et al.*, similarly to O'Callaghan *et al.*, fails to disclose or suggest the feeding of items past a print head.

Accordingly, it is submitted that the subject-matter of claim 7 is patentably distinguished over the disclosures of O'Callaghan *et al.* and Michel *et al.* when taken in combination.

#### *Claim 9*

The Examiner is alleging that the subject-matter of claim 9 is unpatentable over O'Callaghan *et al.* in view of Branecky *et al.* (US-3935429).

It is submitted that claim 9 is appendant upon an allowable independent claim (claim 8), and, as such, is itself allowable. This notwithstanding, the subject-matter of claim 9 is independently patentably distinguished over the disclosures of O'Callaghan *et al.* and Branecky *et al.* when taken in combination.

Claim 9 requires *inter alia* a second sensor, which is located upstream of the first sensor and between the first sensor and a printing head of the printing means, and acts as a reset sensor which is operatively linked to a counter for counting the number of the first signals from the first sensor, and configured to detect a leading edge of each mail piece and produce a signal to reset the counter.

The Examiner has cited Branecky *et al.* as disclosing the use of a counter in the manner as required by the claimed invention. This is not the case.

Branecky *et al.* discloses the use of a counter which counts timing pulses from the encoder reader (56) [column 5, lines 18 to 21], and is reset on detection of the first data bit from the scanner reader (62) [column 5, lines 31 to 33].

Contrary to the Examiner's allegation, this configuration of Branecky *et al.* is not that of the claimed invention, in that *inter alia* the scanner reader (62), as the second or reset sensor of the claimed invention, is not located upstream of the edge detector (60), as the other, first sensor of the claimed invention.

Accordingly, it is submitted that the subject-matter of claim 9 is patentably distinguished over the disclosures of O'Callaghan *et al.* and Branecky *et al.* even if taken in combination.

Respectfully submitted,

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